



Testimony  
Betsy Gara  
Executive Director  
Connecticut Council of Small Towns  
Planning & Development Committee  
February 27, 2015

**OPPOSE - SB-461 - AN ACT PROHIBITING THE ASSIGNMENT OF CERTAIN MUNICIPAL LIENS**

The Connecticut Council of Small Towns (COST) *opposes* SB-461, which would unnecessarily limit the assignment of tax, sewer and water liens to liens on unpaid taxes, sewer charges and assessments, and water charges in excess of \$2500.00.

Liens are a very effective tool for collecting unpaid tax, sewer and water charges. Effective debt collection practices ensure that municipalities can collect an important source of revenue and maintain the delivery of local services to residents and businesses. During these difficult economic times, every penny counts. COST is therefore concerned that SB-461 undermines the ability of municipalities to utilize the lien process to fully collect unpaid taxes, sewer and water charges due the town.

Moreover, because municipal water and sewer departments are often constrained in terminating service, the amount of a customer's unpaid charges is not fixed because additional monthly or quarterly service charges and applicable interest charges continue to accrue. SB-461 would make it difficult to collect these additional charges, resulting in a loss of revenue to the municipalities.

Failure to adequately collect unpaid tax, water and sewer charges unfairly penalizes other residents who do pay their bills by shifting more of the cost of providing municipal services onto them.

COST urges opposition to the bill.



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**SB-878 - AN ACT REQUIRING COMMUNITY NOTIFICATION OF NEW  
RESIDENTIAL FACILITIES FOR OFFENDERS**

The Connecticut Council of Small Towns (COST) *supports* SB-878, which would ensure that a municipality's chief executive officer is notified regarding the placement of halfway house in the community.

Protecting the safety and welfare of residents is a chief responsibility of municipal government. Recognizing this, lawmakers almost unanimously adopted legislation last year which requires the Department of Emergency Services and Public Protection (DESPP) to notify a municipal chief executive officer (CEO) when someone required to register as a sex offender is released into the community or notifies DESPP of an address change.

By requiring the Department of Correction to provide written notice to the municipality regarding the placement of a halfway house or other community residence in the town, the bill will provide municipal officials with the information needed to fulfill their responsibility of protecting the safety and welfare of their residents.

Thank you for your consideration.



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The Connecticut Council of Small Towns (COST) appreciates the opportunity to comment on **SB-883, AN ACT CONCERNING MUNICIPAL BLIGHT.**

SB-883 gives the Office of Policy and Management broad authority to adopt regulations concerning the prevention and remediation of municipal blight. COST supports efforts to assist communities in addressing blight, which is critical to (1) promoting the public health, safety, and welfare; (2) preserving property values; and (3) protecting the quality of life in our communities.

However, we are concerned that by giving OPM broad authority to define and regulate municipal blight, the bill may impose considerable unfunded obligations on towns to enforce the regulations. Moreover, the regulations may be drafted in a way that is inconsistent with what the community determines constitutes blight and how they would like to address blight issues.

Currently, under Section 7-148, CGS, municipalities are expressly authorized to make and enforce regulations for the prevention and remediation of housing blight and impose fines of between \$10 and \$100 for each day that a violation continues. More than 60 municipalities have exercised their right to adopt blight ordinances.

Blight ordinances adopted by municipalities generally include provisions regarding the definition of blight or blighted premises, property owner duties, complaints and enforcement, administrative procedures, and remediation measures. Although most of these ordinances define "blighted premises" broadly, many ordinances are tailored to the particular issues and characteristics of their community. For example, ordinances in rural communities often include language related to agriculture or natural landscapes by exempting premises in their natural field or wooded state from the definition of blighted premises.

Municipalities may also choose to regulate blight through zoning or public health, building, or fire safety code enforcement. The state also authorizes financial incentives that municipalities may use to encourage property owners to rehabilitate or redevelop blighted properties, including property tax abatements or fixed, deferred, or reduced assessments.

Given the existing laws to assist and/or authorize towns to address blight, it is unclear what issues would be addressed by regulations adopted by OPM under this bill. I understand that some communities are reluctant to adopt ordinances because there are vast disagreements as to what constitutes blight.

Given the potential impact of the bill on our small towns, COST would like to be involved in any discussions moving forward to ensure that the language of the bill appropriately balances the need to address blight with the priorities, characteristics and staffing limitations of individual towns.



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**OPPOSE – SB-970 – AN ACT CONCERNING THE TAXATION OF GOLF COURSES.**

The Connecticut Council of Small Towns (COST) *opposes* SB-970, which would require municipalities to tax golf courses in the same manner in which they tax open space.

This bill would force towns to reduce the taxes that golf courses are required to pay, shifting a significant property tax burden onto the backs of homeowners and businesses. Moreover, the bill goes so far as to require a golf course to be valued as open space land including improvements to the land such as greens and tees.

The state and municipalities continue to face ongoing fiscal challenges. For small towns, state aid to municipalities has been largely flat funded, putting considerable pressure on property taxpayers to fund more of the cost of delivering critical services, such as education, transportation and public safety. This year, small towns are facing cuts in aid for critical programs – the Resident State Trooper program, regional fire training schools, the Nutmeg Network, Youth Service Bureaus and other programs.

It is our understanding that more than 70 communities would be negatively affected by this bill. Towns and property taxpayers simply cannot afford to absorb the loss of revenues or shifting of tax burdens resulting from any additional state mandated or municipal option property tax exemptions.

COST urges opposition to the bill.



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**HB-5092 - AN ACT CONCERNING THE DISCONTINUANCE OF HIGHWAYS AND PRIVATE WAYS BY MUNICIPALITIES.**

The Connecticut Council of Small Towns (COST) *opposes* HB-5092, which imposes an overly complicated and costly requirement on municipalities relative to the discontinuance of a road or highway which is not used for public travel.

For small towns, this bill is particularly onerous, because many rural and suburban communities have “paper roads” reflected on town maps that were never used for public travel and are, for all intents and purposes, non-existent. In most cases, these are byways that have been recorded on the land records for subdivisions that were never built. However, under this bill, in order to discontinue such roads, towns will be required to notify each abutting property owner, by mail, that a meeting has been proposed to vote on discontinuing the road.

What’s even more troubling is that the bill allows any aggrieved property owner who does not “receive” the required meeting notice up to two years to seek relief in court, leaving the municipality and real estate sellers and purchasers in limbo. Although the bill provides that reasonable efforts to locate the abutting property owners does not include an examination of title or abstracts, in order to perform their due diligence and avoid the situation where an aggrieved property owner successfully appeals the discontinuance in court, the town will be compelled to scour deeds and records to find each and every abutting property owner along what can be miles and miles of property.

Moreover, this bill will complicate land transactions involving paper roads. Often times, abutting landowners are interested in purchasing paper roads so that they can maintain the property by clearing brush, cutting overhanging tree limbs, preventing people from dumping trash there or addressing other issues. Sometimes, abutting property owners may want to purchase the property to put in a driveway or expand their lot. In these situations, a town must first discontinue the paper road otherwise it could be on the hook to develop and maintain the road for public travel. If the bill makes the process for discontinuance too complicated and uncertain, this bill will jeopardize those transactions.

COST urges lawmakers to reject this measure.

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